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ABSTRACT

A project was devised to develop study materials for a computer-assisted instruction (CAI) course in police training, to develop computerized case problems, and to evaluate the effectiveness of the learning materials as compared with conventional classroom instruction in the same subject areas. Both an experimental group (police cadets at Golden West Police Academy who studied the course materials through use of a syllabus and CAI) and a control group (police cadets at Los Angeles Police Academy who studied the same subject through conventional classroom instruction) took intelligence tests and personnel tests; results of these tests allowed 23 matched pairs from control and experimental groups to be formed. At the conclusion of the training program, all subjects completed a written examination. Results of analyses of performance scores on the examination showed that the experimental group performed significantly better than the control group. Apparently, then, CAI and independent study are effective techniques for police training and should be investigated further and expanded. (SH)

Computer Assisted Instruction Program For Police Training

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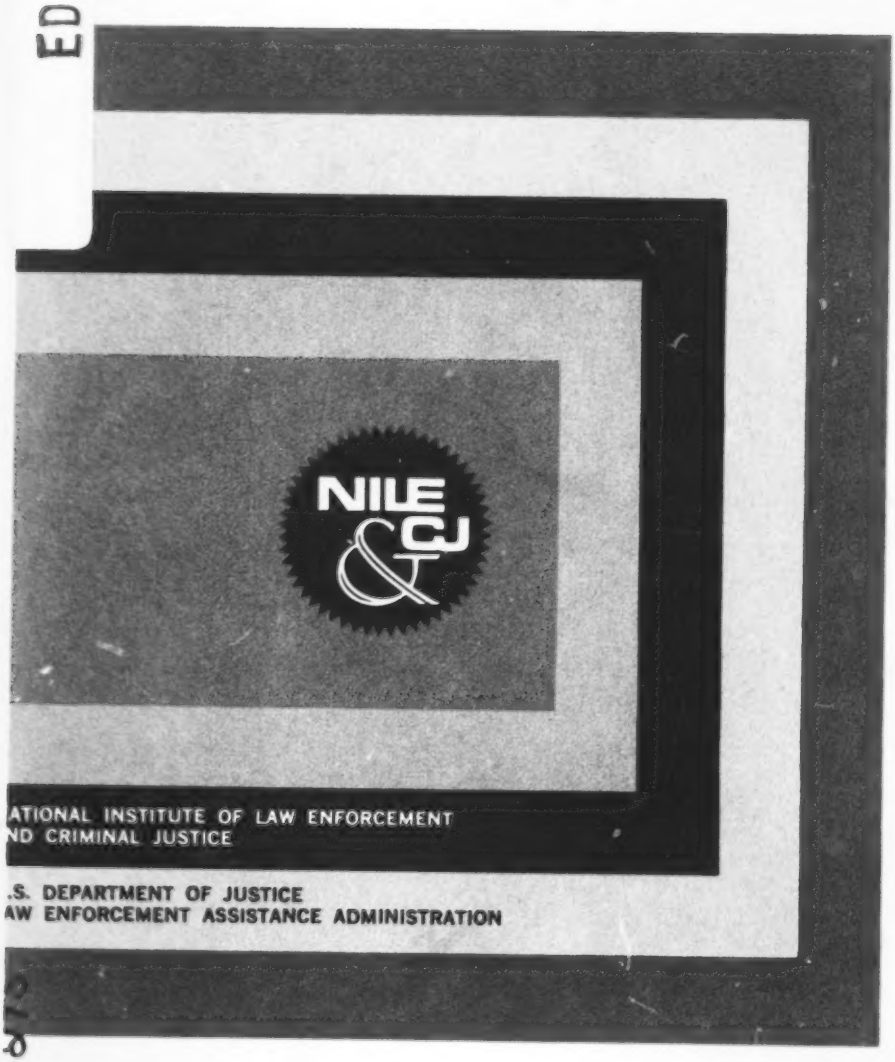

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PREFACE

This report describes the activities of Project CALCOP a joint project of the Coast Community College District, the Los Angeles Police Department, and the Los Angeles Police Academy. The project was financed in part by a grant from the Law Enforcement Assistance Administration (Institute Grant NI–066), and this paper serves as the final report of the project.

A number of individuals deserve recognition for their efforts in doing the work of the project:

Mr. Derald D. Hunt, Director of Law Enforcement Program for Golden West College, for designing and preparing the Study Syllabus and the computer simulated case problems and for scoring the final examinations.

Sergeant M. R. Ingalls, of the Los Angeles Police Academy, for designing and testing the final examination and for reviewing the Syllabus and other training materials.

Mr. Monty Ruth, of the Coast Community College District, for preparing and implementing computer programs used in the simulation exercises and in the statistical analysis.

Sergeant Diane Harber, of the Los Angeles Police Department, for coordinating the otherwise diverse efforts of the Los Angeles Police Academy and the Coast Community College District.

Miss Bonnie Borawski and Mrs. Ellen Gradick, of the Coast Community College District, for their efforts in assuring that the study materials and this report were properly produced.

I list here others whose help represent important contributions to the success of this project: Lieutenant Delbert R. Wheaton, of the Los Angeles Police Department; Officer Ray Heslop, of the Los Angeles Police Department; Mr. George Martin, of the Los Angeles Police Department; Mr. Thomas Adams, Coordinator of the Police Science Program at Santa Ana College; and Officer Roger Sobie, of the Los Angeles Police Department.

RICHARD W. BRIGHTMAN

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I. SUMMARY

Coast Community College District and the Los Angeles Police Department have completed a joint project for the development, implementation and evaluation of computer assisted instruction techniques in a specific area of police training.

Recent months have seen considerable excitement concerning computer assisted learning as a new instructional technique. By and large, computer assisted learning, or as it is often called, computer assisted instruction (CAI), is defined as a process in which a student interacts more or less directly with a computer system in a learning situation.

Purpose

Project CALCOP served a two-fold purpose. First, the project sought to develop a computer assisted learning system for the purpose of training in the area of search and seizure and rules of evidence. Second, the project evaluated the effectiveness of the computer assisted learning system. In doing this, the project examined the hypothesis that the learning system designed by the project, consisting of independent study and CAI exercises, would be more effective than conventional classroom instruction.

Procedures

Procedures followed in Project CALCOP, are enumerated below:

1. Objectives of training programs in search and seizure and rules of evidence were formulated.
2. An examination designed to test the degree to which the objectives were met was developed.
3. A syllabus of cognant material to be used for study purposes on an independent basis was prepared.
4. Case problems simulated through the use of the computer terminal were prepared and implemented.

5. Training was conducted using the computer assisted learning system and the syllabus at Golden West College. Training also took place through conventional classroom instruction at the Los Angeles Police Academy.
6. The examination was administered to police cadets at both the Los Angeles Police Academy and the Golden West Academy. Performance on this examination was compared between the two groups to determine if the computer assisted instruction techniques were more or less effective than conventional classroom techniques.

Results

Comparison of examination performance levels on the part of the Los Angeles Police Academy cadets and the cadets at Golden West College Police Academy showed that the Golden West College group performed significantly better on each of the three parts of the examination as well as for the examination as a whole. The difference in performance levels was found to be statistically significant in each case at the .01 level of confidence.

Conclusions

Learning systems such as that developed by Project CALCOP which remove the police cadet from the rigid discipline of the academy classroom show significant promise as more effective pedagogical techniques than current methods.

II. PROCEDURES

Project CALCOP engaged in a number of activities during its execution. These include establishment of behavioral objectives to be achieved by police cadets using the learning materials developed; establishing a steering committee for the project; establishing an executive committee for the project; preparing the simulation materials; and designing, testing and executing evaluation methods. Each of these activities is discussed in the paragraphs to follow.

Establish Project Steering Committee

As outlined in the project proposal of April 10, 1969, Project CALCOP operated under the guidance of a steering committee composed of police officials, educational experts, and lay police advisors. Individuals serving on the Project CALCOP steering committee are listed below.

Inspector George Beck, Assistant Commander, Office of Special Services, Los Angeles Police Department, Chairman.

Dr. Norman E. Watson, Chancellor, Coast Community College District.

Deputy Chief Robert Gaunt, Commander, Planning and Fiscal Bureau, Los Angeles Police Department.

Inspector Vernon Hoy, Assistant Commander, Personnel and Training Bureau, Los Angeles Police Department.

Mr. Arthur Suchesk, Manager of Instructional Media and Systems, Southern California Regional Occupational Center.

Mr. John S. Owens, Vice Chancellor, Vocational Education, Coast Community College District.

Captain George Conroy, Commander, Records and Identification Division, Los Angeles Police Department.

Mr. Derald D. Hunt, Director of Law Enforcement Program, Golden West College Police Science Program.

Establish Project Executive Committee

The Project Executive Committee oversaw the work done by the project, determined goals and objectives, and reviewed the final results. The Executive Committee consists of police officers and educators as listed below.

Lieutenant Delbert R. Wheaton, Los Angeles Police Department.
Sergeant Diane Harber, Los Angeles Police Department.
Sergeant M. R. Ingalls, Los Angeles Police Department.
Mr. Derald Hunt, Director of Law Enforcement Program, Golden West College.
Mr. Richard W. Brightman, Director of Research and Planning, Coast Community College District.

Establish General and Behavioral Objectives

The initial Project CALCOP proposal outlined broad objectives to be served by the Project. The first task of the Executive Committee, meeting during the summer of 1969, was to develop specific general and behavioral objectives of the program. These objectives are described in a later section of this report.

Preparation of Study Syllabus

A study syllabus was prepared outlining the factual or cognate material that Golden West police cadets should master before entering the field as operating police officers. Preparation of this document involved the efforts of the Law Enforcement staff at Golden West College. The completed syllabus was thoroughly reviewed by the instructional staff at both Golden West College and the Los Angeles Police Academy. The review revealed several points in the syllabus that require updating and revision because of recent court decisions regarding police procedures in arrest, search and seizure. A syllabus critique prepared by the Los Angeles Police Academy is available. Interested parties should address requests to:

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Coast Community College District
1370 Adams Avenue
Costa Mesa, California 92626

Preparation of Simulated Case Problems

Case problems simulated through the use of computer terminals were developed for twenty-six cases reported in the Law Enforcement Legal Information Bulletin published by the Los Angeles District Attorney's office. Use of these case problems involved a two-fold process. First, police cadets would apprise themselves of the basic facts of a particular case situation. Once satisfied that they were familiar with it and with the laws surrounding the situation as presented in the syllabus, they would approach a computer terminal, identify themselves and the particular case they wanted to work on. The computer terminal would respond by asking them questions about the case, providing them additional information, and evaluating the results of their work.

Appendix I includes all of the written descriptions of the twenty-six case problems as well as a list of all of the case problems identified by number and by the APL workspace name in which the cases could be found in the Coast Community College District computer system. Computer programming for the simulated portions of the case problems was accomplished through the use of APL programming language. Complete program documentation of each of the case problems is available from the Coast Community College District and interested parties should send requests to the address shown on the preceding page.

Appendix II shows typical computer terminal output for the execution of cases 12 and 22. For the purpose of illustrating the manner in which incorrect responses were treated by the computer, the operator answered questions incorrectly about as many times as he answered them correctly.

Preparation of Evaluation Materials

In considering techniques of evaluation, the Executive Committee recognized the need to approximate, as much as possible, actual field situations that prospective peace officers are likely to encounter while on duty. Ideally, each cadet should investigate a mock field situation prepared by the educational institution and would be evaluated in terms of his performance in conducting his investigation. Clearly, this ideal evaluation technique is impractical for most educational institutions, as it requires considerable amounts of time for each student being evaluated. A promising alternative, investigated by the Committee, involved depiction of one or more field situations through the use of photographic slides and/or video tape. Such presentation

could be made to an entire class at once with the students answering specific questions concerning the situation as a means of taking the examination. Our investigations showed that with the resources available to Golden West College, production of photographic slides or video tapes for use as described above was impractical.

As a more feasible alternative, a written final examination was prepared using the same conceptual logic as might be used in a video tape presentation. A specific situation was described, questions were asked of the student about the situation and the student's responses were evaluated to determine a test score. The examination prepared was tested thoroughly at the Los Angeles Police Academy before it was implemented and administered to the control and experimental groups. This examination appears in Appendix III.

Evaluation of Learning Materials

The learning materials, consisting of the syllabus and the simulated case problems, were evaluated using established statistical and experimental techniques. These procedures are thoroughly described in Section IV of this report.

III. OBJECTIVES OF PROJECT CALCOP

As reported in the Project CALCOP quarterly progress report of October 1, 1969, and as later refined, the general and behavioral objectives of the project are enumerated below.

General Objectives

1. Develop study materials in search and seizure to be used for recruit training in criminal investigation;
2. Develop computerized case problems which stem from (1) above and which reinforce learning, broaden perspectives, and provide simulated field experiences for those completing the search and seizure section of recruit training; and to
3. Evaluate the effectiveness of the learning materials developed in (1) and (2) above as compared with conventional classroom instruction in the same subject areas.

These general objectives serve the broader purposes of:

1. Preparing officers for field police work.
2. Preparing officers to apply basic rules of evidence to field situations involving criminal investigation.

Behavioral Objectives

After completing the segment of study prepared by Project CALCOP, police officers and police cadets should be able to perform the following tasks:

1. *Recognize Evidence and Identify Types of Evidence*

   Demonstration of the ability to perform this task will involve studying a field situation and selecting and identifying pertinent evidence related to the situation. Within ten minutes, students will correctly identify 80 percent of the pertinent items of evidence found in an actual situation as examined

through the use of written case descriptions and/or audio-visual presentations.

2. *Gather and Preserve Evidence*

   a. *Prepare Reports and Field Notes* Demonstration of the ability to do this will involve studying field situations and identifying evidence to be included in specific report types. Within fifteen minutes students will examine a field situation and prepare reports required by the evidence on hand. The situation will be presented through the use of written case description and/or audio-visual presentation.

   b. *Gather Testimony from Witnesses* Demonstration of the ability to do this will involve identifying witnesses to a field situation who should be interviewed. Students will examine a field situation and within ten minutes must identify all witnesses who should be interviewed. The field situation will be presented through the use of written case descriptions and/or audio-visual presentation.

   c. *Gather and Preserve Physical Evidence* Demonstration of the ability to do this will involve identifying artifacts to be gathered from field situations as evidence and selecting means to collect and preserve them. Students will examine a field situation and list 85 percent of the items that should be gathered as evidence and will associate these with written descriptions of the means best used to gather and preserve them. This will be accomplished in twenty minutes. The field situation will be presented with written case descriptions and/or audio-visual presentation.

3. *Exercise Evidence-Gathering Techniques that Assure the Admissibility of the Evidence in Court*

   Demonstration of the ability to perform this task will involve:

   a. Distinguishing evidence from non-evidence in field situations.

   b. Identifying evidence as found in field situations that will be inadmissible in court as opposed to that which will not be admissible.

   The student will examine a field situation and list items of evidence as differentiated from non-evidence and will further categorize items of evidence into those that will be excluded as opposed from those that would not be excluded in a court

of law. Eighty-five percent of the items in the situation must be correctly categorized within twenty minutes. The field situation will be presented using written case descriptions and/or audio-visual presentation.

Meeting the Objectives

As originally articulated in the Project CALCOP proposal and in subsequent quarterly reports, the project's objectives pointed to considerably more elaborate learning systems than were feasible for development with the resources available to the District. For example rather than preparing elaborate tutorial interactive materials for computer-assisted study of cognant material in the area of search and seizure, the project found it more feasible to develop the study syllabus. A syllabus was determined to be more flexible for student's use inasmuch as it could be used and studied virtually anywhere without requiring the student to use a computer terminal.

The specific behavioral objectives found in Section III of this report were particularly difficult to evaluate in terms of the time available for evaluation. There is little question that the syllabus and the simulated case problems as learning strategies contribute to the police cadet's ability to recognize, identify, gather, and preserve evidence in a manner that assures admissibility of the evidence in court. Designing evaluation devices to measure the degree to which these objectives are served by the learning strategies is quite a difficult matter. The total amount of classroom time typically spent in the area of search and seizure seldom exceeds ten hours. Testing exercises sufficient to measure the behavioral objectives outlined in Section III of this report must necessarily be very comprehensive and very detailed in nature, involve considerable photographic representation of case situations and probably would be best implemented through the use of a crime-site mock-up. Surrendering to the difficulties of preparing such evaluative instruments, we developed the examination appearing in Appendix III as an approximation to the ideal expressed in the behavioral objectives. More about this important matter will be said in the conclusion of this report.

Despite the difficulties in preparing an evaluative technique that meets the aspirations of the expressed behavioral objectives of the project, evidence presented in Section IV of this report leads us to believe that these instructional techniques are more effective in meeting the objectives of course work in search and seizure than in conventional classroom techniques. The examination that has been em-

ployed does in fact present the police cadet with a case situation in which he must evaluate appropriate steps to take. His answers to the questions put to him by the examination are some indication of the degree to which he understands the appropriate procedures to use when actually in the field.

IV. EVALUATION OF THE LEARNING PROCEDURES

Statistical Procedures

Evaluation of the learning procedures designed as part of Project CALCOP followed conventional statistical procedure. We were interested in the null hypothesis that there would be no significant difference in performance levels between cadets at the Golden West Police Academy (the experimental group) and cadets at the Los Angeles Police Academy (the control group) as measured by the examination enactments shown in Appendix III. Finding a statistically significant difference would give us cause to reject the null hyothesis, concluding that the CAI learning procedures were either more or less effective than the conventional procedures, depending upon the sign of the difference.

Comparison of performance scores between the control and experimental groups with respect to the CALCOP examination enactments as well as on the California Short Form Test of Mental Maturity and the Wonderlic Personnel Test made use of the t test for significant differences in mean scores[1] and the Wilcoxon matched pairs signed-rank test.[2]

In comparing mean performance scores we used one of two calculation procedures to arrive at t, depending upon the homoscedasticity of the test score distributions of the two groups being compared. For those cases in which the variances were homogeneous, we used the formula

$$t = \frac{\bar{X}_1 - \bar{X}_2}{\sqrt{\frac{\Sigma(X_1 - \bar{X}_1)^2 + \Sigma(X_2 - \bar{X}_2)^2}{N_1 + N_2 - 2} \cdot \left(\frac{1}{N_1} + \frac{1}{N_2}\right)}}$$

[1] Fergeson, G. A., *Statistical Analysis in Psychology and Education*, (New York: McGraw-Hill), pp. 167–174.

[2] Seigal, S., *Non-Parametric Statistics for the Behavioral Sciences*, (New York: McGraw-Hill), pp. 75–83.

Where X_1 is the individual score for members of Group 1, X_2 the individual scores of the members of Group 2, $\overline{X}_1$ and $\overline{X}_2$ the representative mean scores of Groups 1 and 2, N_1 the total number of students in Group 1, and N_2 the total number of students in Group 2.[3]

In those cases in which the variances of the two distributions the means of which were to be compared were not homogeneous, we used the formula

$$t^* = \frac{S^2_{\bar{x}} t_1 + S^2_{\bar{x}} t_2}{S^2_{\bar{x}_1} + S^2_{\bar{x}_2}}$$

Where t_1 is the critical value of t_i required for significance at the .05 level of confidence with $N_1 - 1$ degrees of freedom and t_2 the critical value of t_i required for significance at the .05 level of confidence with $N_2 - 1$ degrees of freedom and where

$$t_i = \frac{\overline{X}_1 - \overline{X}_2}{S_{\bar{x}_1} - S_{\bar{x}_2}}$$

$$S_{\bar{x}_1} - S_{\bar{x}_2} = \sqrt{\frac{\Sigma(X_1 - \overline{X}_1)^2}{N_1 (N_1 - 1)} + \frac{\Sigma(X_2 - \overline{X}_2)^2}{N_2 (N_2 - 1)}} = \sqrt{S^2_{\bar{x}_1} + S^2_{\bar{x}_2}}$$

where the variables are as described above.[4]

We tested the score distributions on each of the tests administered for homogeniety of variance by considering the ratio of the two variances as calculated by

$$R = \frac{\frac{\Sigma(X - \overline{X}_1)^2}{N_1 - 1}}{\frac{\Sigma(X - \overline{X}_2)^2}{N_2 - 1}}$$

and consulting a table of the F distribution for R to determine whether or not the difference between the variances is significant.[5]

[3] Freund, J. E., *Modern Elementary Statistics*, Third Edition, (Englewood Cliffs, New Jersey: Prentice Hall), p. 256.

[4] Fergeson, *op. cit.*, pp. 171–172.

In those cases in which the variances were not homogeneous, t* was calculated, otherwise we found t. Hereafter in this report, tests of significant mean differences will be reported as significant in terms of t or t* depending upon the homoscedasticity of the two distributions yielding the means.

Use of the t (or t*) test for significance of mean differences requires, in addition to homogeneity of variance, that the distributions be normally distributed. Usually, with N — 30, normality may be assumed.[6] However, as our populations never exceeded 28 in number and on one occasion was only eight, we performed the Wilcoxon ranked-pairs test to verify that the significant differences we found with the t and the t* tests also appeared significant under the weaker yet distribution-free non-parametric test. In every case, the Wilcoxon test yielded results that agreed with our t and t* calculations.

Evaluation procedures and the results of statistical calculations are described in the paragraphs that follow.

Examination Development

Inasmuch as the purpose of the evaluative phase of Project CALPCOP was to measure the relative effectiveness of the computer assisted instruction techniques used with conventional classroom presentation techniques, a first important task of the project was to develop the final examination as appears in Appendix III.

The examination was tested at the Los Angeles Police Academy. Groups of cadets at the Academy would take the examination. After scoring, the cadets and the instructor would critique the examination in terms of clarity and legal accuracy. After making appropriate modifications, the instructor would administer the examination to a fresh group of cadets and repeat the evaluation. In this manner, cadet reactions to and performance on the examination was carefully considered in subsequent revisions of the final examination. Revisions were retested as described above until the final draft of the examination as appearing in Appendix III was completed.

The examination consists of four case enactments each of which provide the cadet with certain information regarding a particular case situation. In every case, the case situation presented by the examination was similar to a real life situation with names of persons and of places changed to prevent students, to every extent possible,

[5] *Ibid.*, pp. 181–183.
[6] Freund, *op. cit.*, p. 255.

from recognizing the situation as one that he may have studied earlier.

Control and Experimental Group Selection

The experimental group for this study consisted initially of twenty-seven police cadets enrolled in the Golden West College Police Academy during the Fall semester, 1970-71. This group undertook to study matters of search and seizure through independent use of the syllabus and through the use of the computer assisted instruction simulation exercises described earlier in this report.

The control group for the experiment consisted of police cadets at the Los Angeles Police Academy who undertook to study matters of search and seizure through conventional classroom instruction as conducted at that Academy. Sixty police cadets out of a class of seventy-one at the Los Angeles Academy took the final examination enactments.

Members of both the control and the experimental groups took the California Short Term Test of Mental Maturity and the Wonderlic Personnel Test. Using the IQ scores achieved on the California Short Form Test of Mental Maturity for each of the twenty-seven members of the experimental group as a basis, twenty-seven members of the Los Angeles Police Academy group were selected so as to give twenty-seven matching pairs of cadets, one group each from the Golden West College Police Academy and from the Los Angeles Police Academy. Table 1, page 25, shows the initial populations of both the control group (Los Angeles Police Academy group) and the experimental group, (the Golden West College group) and the degree to which IQ scores differed as between two members of any one matched pair. The differences between the mean IQ scores of the twenty-seven members of the control group as compared to the twenty-seven members of the experimental group were evaluated through the use of the t distribution. This yielded a t score of 0.218 indicating no significant differences between the mean IQ scores between the control and the experimental groups.

After completing the training program and gathering performance data, there remained twenty-three matched Golden West-Los Angeles Academy pairs for whom complete data were available. These matched pairs and their respective California Short Form Test of Mental Maturity scores (IQ scores) appear in Table 2, page 26.

Differences in IQ scores as shown in Table 2 between the Los Angeles Police Academy control group, Group 1, and the Golden

West College experimental group, Group 2, were compared using two techniques. As described earlier, the t test was performed to assess the differences between mean IQ's for the groups. This yielded a t score of –0.04. This score is not significantly different at the 0.5 level of confidence. We also performed the Wilcoxon matched pairs signed-rank test. This procedure yielded a t score of 43 with an N of 14 which demonstrated no significant differences between the matched pairs at the 0.5 level of confidence.

Table 3, page 27, shows the relative Wonderlic Personnel Test scores for both the Golden West College experimental group and the Los Angeles Police Academy group. We performed the same tests on the Wonderlic score differences as we performed for the California Short Form Test of Mental Maturity scores. The t test for significant differences between mean Wonderlic scores yielded a t of 0.8 which showed that there was no significant difference between the mean Wonderlic scores between the control and experimental groups. The Wilcoxon matched pairs test yielded a t of 83 for an N of 19, again showing no significant difference at the .05 level of confidence.

We were also interested in the degree to which the Los Angeles Police Academy control group, consisting of twenty-three selected members, represented the total seventy-one members of the Los Angeles Police Academy from whom the control group was drawn. The t test for differences in mean IQ scores yielded a t of –1.4 which was not significant (0.5 level). Similarly, the t test was used to measure differences in mean scores on the Wonderlic examination between the twenty-three members of the Los Angeles control group and the total seventy-one member Los Angeles Academy group that took the test. In this case, the t score was –1.7, again not significant at the .05 level of confidence.

We also compared the Golden West College experimental group with the total seventy-one member Los Angeles group. The t test in this case yielded a t score of –1.43 which was not significant at the .05 level for mean IQ scores. Similarly, the t score for the differences in mean Wonderlic scores was –0.83, again not significant at the .05 level of confidence.

As a result of these calculations and comparisons we can make the following observations:

1. There is no significant difference in mean IQ scores as measured by the California Short Form Test of Mental Maturity between the twenty-three member experimental group at Golden West College and the twenty-three member control group at the Los Angeles Police Academy.

2. There is no significant difference in mean Wonderlic Personnel Test scores between the control group and the experimental group.
3. The control group of Los Angeles Police Academy cadets is a representative sample in terms of IQ and Wonderlic scores of the total seventy-one member group of Los Angeles Police Academy cadets.
4. There is no significant difference in either mean IQ scores or in mean Wonderlic scores between the Golden West College experimental group and the total group of Los Angeles Police Academy cadets.

Accordingly, any differences to be found between performance levels on the examination enactments as between Group 1 and Group 2 cannot be attributed to differences in intellectual ability as measured by the California Short Form Test of Mental Maturity and the Wonderlic Personnel Test. Differences in performance levels on the final examination must be accounted for by other factors than differences in measured ability.

Training

Police cadets at the Los Angeles Police Academy studied materials relating to proper procedures in search and seizure matters under conventional classroom instruction. This instruction consisted of lectures and classroom discussions. As described earlier in this report, police cadets at the Golden West College Police Academy studied the same materials making use of the study syllabus and the computer assisted simulated case problems. This group received no classroom instruction.

Examining

After completing the training program in search and seizure, cadets at both the Police Academy in Los Angeles and the Academy at Golden West College completed a written examination consisting of four case problems or enactments in which the student was asked specific questions about procedures and matters of fact relating to the situation described. The examination appears in Appendix III.

All of the examinations were scored by Derald Hunt, the Coordinator of the Law Enforcement program at Golden West College. Scoring was done by one individual to minimize to every extent

possible differences in scoring procedures that might arise should more than one person score the tests. Of the four enactments included in the final examination, only three were scored for the Los Angeles Police Academy group. This is so because the fourth enactment was returned to the students and was therefore unavailable for scoring at the same time that the other three enactments were available. For this reason, only the first three enactments of the final examination have been used in this study to measure differences in performance levels between the Los Angeles Police Academy group and the police Academy at Golden West College.

Results

Tables 4, 5, and 6, pages 28, 29 and 30, show the relative examination scores for enactments 1, 2, and 3, respectively. Maximum score possible for enactment 1 was 11. Maximum score possible for enactment 2 was 9, and for enactment 3, a maximum score of 10 was possible. Table 7, page 31, shows the total scores on all three enactments for each of the control-experimental matched pairs.

Both the t test and the Wilcoxon matched pairs signed-rank tests were applied to the performance scores on the examination enactment. Table 8, page 32, lists the results of these calculations. In every case, cadets at the Golden West College Police Academy performed better on the final examination than did cadets at the Los Angeles Police Academy and in every case the difference in performance levels was statistically significant at the .05 level of confidence. For enactment 1 Golden West College cadets averaged 2.17 points higher in performance scores than did their counterparts at Los Angeles. For enactment 2 the difference in mean performance level was 1.52 points higher. Similarly, for enactment 3 Golden West College cadets averaged 1.96 points higher than did the Los Angeles Police Academy cadets. For the three enactments taken together the Golden West College group averaged 5.65 points higher in performance scores than did the group at the Los Angeles Police Academy.

V. CONCLUSIONS

The most obvious conclusion to be drawn from the procedures outlined above says that the learning procedures followed at Golden West College in the area of search and seizure were more effective than were the procedures followed at the Los Angeles Police Academy, at least as measured by the final examination enactments appearing in Appendix III of this report. Testing and selection of the experimental and control group minimized differences in performance level that might arise as a result of differences in abilities between the two groups. Selection procedures exercised by the Los Angeles Police Academy and the several police agencies employing the Golden West College cadets probably minimized differences in educational level, reading skills and writing skills that would not also appear as differences in IQ and Wonderlic scores. There remains then the difference in training procedures between the two groups as a factor which would account for the differences in performance levels.

The control group at the Los Angeles Police Academy undertook training in the area of search and seizure with conventional classroom instruction under rigid circumstances in which the learning situation was rather well structured. Instructors at the Los Angeles Academy lectured to the cadets, described to them specific case situations, and elicited responses from members of the class as to what they would do or what should be done in a particular case situation. Cadets at the Golden West Police Academy program had no such classroom instruction and limited their efforts to studying the syllabus and answering questions put to them about specific case situations by a computer terminal. We assert, and our conclusions here are based upon the statistics reported above, that this basic difference in instructional approach accounts for the differences we find in performance levels between the Los Angeles Police Academy control group and the Golden West College Academy experimental group.

As we analyzed our data, however, we became interested in other phenomena that might partially account for some of the observed performance differences. Experimental bias, for example, is a common place failing in most experimental studies of this kind and there

is some likelihood that it may have played a part in increasing the performance level of the experimental group. The experimental group and the control group were widely separated geographically and enjoyed no inter-group communication whatsoever. Nevertheless the group at Golden West College did know that their performance levels on an examination covering the areas of search and seizure would be compared with scores on the same examination earned by Los Angeles Police Academy cadets. This knowledge may have motivated the group to apply themselves more assiduously to their studies and, to the extent that they did, the experiment was biased. However, we should point out that most classroom teachers turn to a number of devices and strategies to motivate students to study harder and whether or not the devices and strategies employed by the Los Angeles Police Academy instructors in this area were more or less effective as motivators than the knowledge on the part of Golden West College cadets that their performance was to be compared with another group, is a matter of conjecture.

A second phenomenon which might play an even more important part in explaining differences in performance levels between the two groups had to do with the experimental group at Golden West College learning how to take the final examination. The case problem approach as employed through the computer assisted simulations presented materials and questions about the facts of cases in almost exactly the same manner as is found in the examination itself. Thus students studying the syllabus and then answering questions about specific case situations as posed by the computer terminal were in effect taking an examination not at all unlike the one they would take as a final measure of their achievement. In this way, they were learning how to take this type of examination. Cadets at the Los Angeles Police Academy, on the other hand, had no similar training experience. Their exposure to the presentation of case situation facts and then answering questions about the situation was probably a new one for them. To examine the degree to which this might be true, we compare the control group performance on a multiple choice examination covering the area of search and seizure and rules of evidence with the performance of a preceding class on the same examination.

At the completion of the Police Academy at Golden West College, all cadets took a multiple-choice final examination covering all phases of the Academy program. The experimental group in this study took this examination as did the Academy class that immediately preceded them. The examination consisted of a number of separate parts, three of which contained no test items dealing with matters of search and seizure and rules of evidence. The remaining parts contained, among other things, twenty-five questions concerning search and seizure and

rules of evidence. Being interested in the degree to which cadets in our experimental group at Golden West College did better or worse than did their predecessor class, we examined their relative performance on the multiple choice final examination for the complete academy. The results of our analysis appear in Table 9, page 32. This table presents the mean percentage scores earned on each of the three portions of the test that included no test items dealing with search and seizure, and rules of evidence as well as for the three sections taken together, and those twenty-five test items that deal exclusively with search and seizure and rules of evidence. Our comparison of mean scores followed the procedures discussed earlier and the resulting t (or t*) scores also appear on the table.

Of the five mean differences in exam scores shown in Table 9, only the mean differences on the twenty-five questions dealing with search and seizure and rules of evidence is statistically significant (.01 level). Our control group, then, did significantly better than their predecessors on the search and seizure and rules of evidence portion of their final exam but performed only equally as well on those portions of the final examination that dealt with other matters.

Reconsider the argument that the experimental group performed better on the examination appearing in Appendix III as a result of having learned how to take this type of examination more effectively than the control group. This may be true. However, they also learned, apparently, how to take multiple choice examinations better than their predecessors, but only with respect to questions dealing with search and seizure and rules of evidence. The data appearing in Table 9 lead us to discount heavily the argument that performance differences we found between the control and the experimental groups can be largely explained away as the result of having learned how to take a particular type of examination.

A third phenomenon that could explain performance differences between the control and experimental groups has to do with the degree of experience as operating police officers that cadets may have had prior to entering the police academy. Several cadets at Golden West College had previous experience as police officers before enrolling. Only one of the cadets at the Los Angeles Police Academy had any experience before entering his training program. In an effort to isolate the effect which previous experience may have had upon differences in mean performance levels between the two groups, we eliminated all those matched pairs in which the Golden West College member had had more than a few days prior experience. The remaining matched pairs, their respective IQ and Wonderlic scores, as well as their performance scores on each of the three examinations enactments and for the total examination appear in Table 10, page 33.

Both the T test and the Wilcoxon matched pairs ranking test for this non-experienced sub-group showed that there were no significant differences at the .05 level of confidence between the Los Angeles and the Golden West groups with respect to either the IQ scores or the Wonderlic scores. As with the large group analysis, Golden West College cadets performed consistently better on all three enactments and for the total examination than did the Los Angeles cadets. In every case the increased performance was statistically significant at the .01 level of confidence. On enactment 1 Golden West College cadets earned an average of 2 points higher than did the Los Angeles group. This mean difference was 1.7 points higher for the second enactment and 1.9 points higher for the third. With respect to the examination taken as a whole, Golden West College cadets performed better than did the Los Angeles cadets by a mean difference of 6.2 points.

This examination of the non-experienced cadet pairs leads us to conclude that the experience enjoyed on the part of some of the Golden West college police cadets played no significant role in accounting for the overall increased performance levels of the entire twenty-three man experimental group.

An even more important factor that might well explain the performance differences we found may be that of removing the police cadet from the classroom. Typically, classroom learning situations in police academies is much more rigorous and much more structured than typical classroom situations found in other college areas. Discipline is more rigidly enforced and students may feel less free to investigate areas of interest to them than do students in such areas as say philosophy, literature, or even mathematics and physics In this respect, police academy classrooms resemble military basic training camps. As a result, police academy programs may be criticized as being non-conducive to learning. Developing learning situations for specific skills and specific areas of conceptual knowledge in law enforcement and removing students from a rigidly disciplined classroom environment while they study these subjects may well prove to be more effective than current methods.

Although we are not prepared on the basis of Project CALCOP to conclude that the computer assisted learning portion of the learning system devised is more effective than classroom instruction, we do think that the total learning system including independent study of the syllabus as well as computer assisted case problems, presents a more effective learning environment in the area of search and seizure than does conventional classroom instruction. This is not to say, of course, that conventional classroom instruction has been other than excellent in quality. In fact we cannot say, as a result of this study,

that it has been good, bad, or indifferent. Rather, we have found evidence that instructional effectiveness in search and seizure can be further improved through the use of learning systems similar to that developed by Project CALCOP.

VI. RECOMMENDATIONS

We have never seen a research report that does not close with recommendations for additional research. This one will not conclude differently. It is clear to us from the work we have done so far that independent study and computer assisted learning techniques can play a most important role in the training of police officers. What is needed most at the present time are better examination procedures that more adequately assess the ability of police officers to perform in the field. The written examination used as part of Project CALCOP may not serve adequately at all as compared to a more realistic evaluation procedure in which police officers investigate a mock-up crime situation. The first step, then, in continuing the type of study started with Project CALCOP is to engineer such evaluation devices and validate them as appropriate measures of operating skills on the part of active police officers.

Other experimentation with computer assisted learning as well as that undertaken with Project CALCOP has led us to believe that the typewriter terminal is an inadequate device for computer assisted learning. It would be much better, we think, to present written, photographic, or other graphical information to students in the form of visual display. This cannot be done at the present time through the use of typewriter terminals such as those employed in Project CALCOP. Under investigation at this time by the Coast Community College District is the use of random access microfiche display units under the control of a computer. Combining the materials we have already prepared for Project CALCOP with microfiche display techniques, we think that we could substantially improve the learning system devised. Rather than read a written description of a case situation, students would instead study photographic images portraying the particular situation. In such a system the student would still enjoy the individualized attention that he currently receives from the computer terminal, however, he does not have to wait for the typewriter terminal to finish typing out a message before he can respond to it. Written messages as well as photographic information can be displayed on an illuminated screen within a few seconds access time

while the student continues to enter his answers into a computer typewriter terminal. Experimental work with this system is just beginning and we think that Project CALCOP has played a significant role in pointing us in this direction.

Officials at the Golden West College Police Academy are interested in pursuing the learning strategies employed in Project CALCOP in other areas of police training. This too is an important area for continued study and research. An earlier study completed by the Coast Community College District found CAI to be equally effective as classroom instruction, but no better.[7] We harbor strong suspicions that learning systems that remove the police cadet from the disciplinary atmosphere of the Academy classroom may alone be more effective than current techniques. We need to answer two questions in this regard. First, to what extent can the performance differences found by Project CALCOP be explained by the CAI system as opposed to simply removing the student from the classroom for self-study? Second, is self-study in general (whether or not computer-assisted) a more effective instructional strategy for police training than current classroom techniques?

[7] *Computer Assisted Learning to Teach Computer Operations,* Unpublished research report, November, 1970.

Table 1. California short form test of mental maturity

Matched pair	Group 1 Los Angeles Police Academy control group	Group 2 Golden West college experimental group	Differences (LAPA—GWC)
1	81	81	0
2	95	96	−1
3	97	98	−1
4	98	98	0
5	102	102	0
6	102	103	−1
7	104	104	0
8	105	106	−1
9	108	108	0
10	111	111	0
11	112	112	0
12	113	113	0
13	114	115	−1
14	114	115	−1
15	114	116	−2
16	117	117	0
17	119	118	1
18	119	118	1
19	120	122	−2
20	120	122	−2
21	121	122	−1
22	122	122	0
23	122	123	−1
24	124	123	1
25	126	125	1
26	129	127	2
27	129	128	1

Group 1		Group 2	
Sample size	27	Sample size	27
Maximum	129	Maximum	128
Minimum	81	Minimum	81
Range	48	Range	47
Mean	112.52	Mean	112.78
Variance	132.95	Variance	127.49
Standard deviation	11.53	Standard deviation	11.29
Mean deviation	9.09	Mean deviation	9.00
Median	114	Median	115
Mode	114	Mode	112

Table 2. California short form test of mental maturity

Matched pair	Group 1 Los Angeles Police Academy control group	Group 2 Golden West college experimental group	Differences (LAPA—GWC)
1	81	81	0
2	95	96	-1
3	97	98	-1
4	98	98	0
5	102	102	0
6	104	104	0
7	108	108	0
8	111	111	0
9	112	112	0
10	114	115	-1
11	114	115	-1
12	114	116	-2
13	117	117	0
14	119	118	1
15	119	118	1
16	120	122	-2
17	121	122	-1
18	122	122	0
19	122	123	-1
20	124	123	1
21	126	125	1
22	129	127	2
23	129	128	1

Group 1		Group 2	
Sample size	23	Sample size	23
Maximum	129	Maximum	128
Minimum	81	Minimum	81
Range	48	Range	47
Mean	112.96	Mean	113.09
Variance	146.77	Variance	140.26
Standard deviation	12.11	Standard deviation	11.84
Mean deviation	9.44	Mean deviation	9.37
Median	114	Median	116
Mode	114	Mode	112

Table 3. Wonderlic personnel test scores

Matched pair Group 1	Los Angeles Police Academy control group	Group 2 Golden West college experimental group	(LAPA—GWC)
1	18	19	−1
2	16	26	−10
3	18	23	−5
4	20	19	1
5	26	25	1
6	31	26	5
7	21	21	0
8	41	21	20
9	36	20	16
10	24	24	0
11	34	27	7
12	32	29	3
13	29	28	1
14	29	29	0
15	32	32	0
16	30	32	−2
17	27	29	−2
18	26	33	−7
19	40	27	13
20	32	36	−4
21	33	27	6
22	25	34	9
23	29	30	−1

Group 1		Group 2	
Sample size	23	Sample size	23
Maximum	41	Maximum	36
Minimum	16	Minimum	19
Range	25	Range	17
Mean	28.22	Mean	26.83
Variance	45.09	Variance	23.51
Standard deviation	6.71	Standard deviation	4.85
Mean deviation	5.32	Mean deviation	3.85
Median	29	Median	29
Mode	29 32	Mode	27 29

Table 4. Enactment 1 Scores

Matched pair Group 1	Los Angeles Police Academy control group	Group 2 Golden West college experimental group	(LAPA—GWC)
1	7	11	–4
2	8	9	–1
3	8	11	–3
4	8	11	–3
5	10	11	–1
6	8	11	–3
7	11	11	0
8	11	11	0
9	10	11	–1
10	6	11	–5
11	8	10	–2
12	6	10	–4
13	8	11	–3
14	10	11	–1
15	7	11	–4
16	7	9	–2
17	8	11	–3
18	11	10	1
19	6	11	–5
20	11	10	1
21	8	11	–3
22	8	11	–3
23	10	11	–1

Group 1		Group 2	
Sample size	23	Sample size	23
Maximum	11	Maximum	11
Minimum	6	Minimum	9
Range	5	Range	2
Mean	8.48	Mean	10.65
Variance	2.81	Variance	0.42
Standard deviation	1.68	Standard deviation	0.65
Mean deviation	1.41	Mean deviation	0.51
Median	8	Median	11
Mode	8	Mode	11

Table 5. Enactment 2 scores

Matched pair	Group 1 Los Angeles Police Academy control group	Group 2 Golden West college experimental group	(LAPA—GWC)
1	6	7	−1
2	5	8	−3
3	8	9	−1
4	6	8	−2
5	6	8	−2
6	7	9	−2
7	7	7	0
8	6	9	−3
9	8	8	0
10	7	9	−2
11	8	8	0
12	8	8	0
13	8	9	−1
14	7	8	−1
15	8	9	−1
16	6	9	−3
17	7	8	−1
18	7	9	−2
19	6	9	−3
20	7	8	−1
21	7	9	−2
22	6	8	−2
23	7	9	−2

Group 1		Group 2	
Sample size	23	Sample size	23
Maximum	8	Maximum	9
Minimum	5	Minimum	7
Range	3	Range	2
Mean	6.87	Mean	8.39
Variance	0.75	Variance	0.43
Standard deviation	0.87	Standard deviation	0.66
Mean deviation	0.69	Mean deviation	0.58
Median	7	Median	8
Mode	7	Mode	9

Table 6. Enactment 3 scores

Matched pair	Group 1 Los Angeles Police Academy control group	Group 2 Golden West college experimental group	(LAPA—GWC)
1	7	10	–3
2	5	10	–5
3	8	10	–2
4	8	10	–2
5	7	9	–2
6	5	10	–5
7	9	9	0
8	9	7	2
9	8	10	–2
10	10	10	0
11	7	9	–2
12	7	10	–3
13	7	10	–3
14	9	9	0
15	5	10	–5
16	7	8	–1
17	9	10	–1
18	8	9	–1
19	7	10	–3
20	9	10	–1
21	9	9	0
22	8	10	–2
23	5	9	–4

Group 1		Group 2	
Sample size	23	Sample size	23
Maximum	10	Maximum	10
Minimum	5	Minimum	7
Range	5	Range	3
Mean	7.52	Mean	9.48
Variance	2.17	Variance	0.62
Standard deviation	1.47	Standard deviation	0.79
Mean deviation	1.19	Mean deviation	0.64
Median	8	Median	10
Mode	7	Mode	10

Table 7. Three-enactment summary

Matched pair	Group 1 Los Angeles Police Academy control group	Group 2 Golden West college experimental group	(LAPA—GWC)
1	20	28	−8
2	18	27	−9
3	24	30	−6
4	22	29	−7
5	23	28	−5
6	20	30	−10
7	27	27	0
8	26	27	−1
9	26	29	−3
10	23	30	−7
11	23	27	−4
12	21	28	−7
13	23	30	−7
14	26	28	−2
15	20	30	−10
16	20	26	−6
17	24	29	−5
18	26	28	−2
19	19	30	−11
20	27	28	−1
21	24	29	−5
22	22	29	−7
23	22	29	−7

Group 1		Group 2	
Sample size	23	Sample size	23
Maximum	27	Maximum	30
Minimum	18	Minimum	26
Range	9	Range	4
Mean	22.87	Mean	28.52
Variance	7.02	Variance	1.44
Standard deviation	2.65	Standard deviation	1.20
Mean deviation	2.15	Mean deviation	1.02
Median	23	Median	29
Mode	20 23 26	Mode	28 29 30

Table 8. Tests of significance

Enactment	t or t*	Wilcoxon N	Wilcoxon T
1	–5.8*	21	8
2	–6.7	19	0
3	5.6*	19	8
All	–9.3*	22	0

Table 9. Mean percentage scores of multiple choice final examination
No questions on search and seizure or rules of evidence

	Section 1	Section 2	Section 3	All 3 Sections	Twenty five search and seizure questions
Central Group (N=28)	91.2	88.3	91.7	90.4	94.0
Preceding Class (N=17)	91.3	90.2	89.9	89.6	84.5
Difference	.9	–1.9	1.8	.8	9.5
t or t*	2.67*	2.50*	1.08	1.13	1.45

Table 10. Comparative analysis of non-experienced cadets

Pair No.	IQ Scores		Wonderlic scores		Enactment 1		Enactment 2		Enactment 3		Total	
	LA	GWC	LA	GWC	LA	GWC	LA	GWC	LA	GWC	LA	GWC
1	81	81	18	19	7	11	6	7	7	10	20	28
4	98	98	20	19	8	9	5	8	5	10	22	29
5	102	102	26	25	8	11	8	9	8	10	23	28
7	108	108	21	21	8	11	6	8	8	10	27	27
10	114	115	24	24	10	11	6	8	7	9	23	30
11	114	115	34	27	8	11	7	9	5	10	23	27
16	120	122	30	32	11	11	7	7	9	9	20	26
19	122	123	40	27	11	11	6	9	9	7	19	30
22	129	127	25	34	10	11	8	8	8	10	22	29
23	129	128	29	30	6	11	7	9	10	10	22	29
t or t*	–0.03		0.33		–4.43		–5.07		–3.94		–7.59	
Wilcoxon												
T	8		17		0		0		0		0	
N	6		8		9		8		8		9	

Appendix 1

ARREST, SEARCH AND SEIZURE AND RULES OF EVIDENCE

Account number	*Workspace name*	*Case number*	*Description*
4501	CALCOP1	1	Search Incidental to Arrest—Chimel v. California
		2	Search Incidental to Arrest—People v. Edgar
		3	Neutral Inquirer
		4	Admissions to Parents by Suspect in Custody
		5	Conversation Between an Officer and a Defendant
4501	CALCOP2	6	Search Following Arrest of a Fugitive
		7	Stop and Frisk
		8	Probable Cause for Search
4501	CALCOP3	9	Probable Cause for Arrest
		10	Probable Cause and Citizen Informants—People v. Yoeman
		11	Probable Cause and Citizen Informants—People v. Waller
4501	CALCOP4	12	Blood Tests
4501	CALCOP5	13	Search Incidental to Arrest—People v. Barton
4501	CALCOP6	14	Right to Remain Silent
		15	Probable Cause
4501	CALCOP7	16	Temporary Detention: Rational
		17	Miranda Revisited
		18	The Fourth Amendment and Search of Trash Cans
4501	CALCOP8	19	Parole Officers and Searches
		20	Search and Seizure: Consent by Landowner
		21	Search Incidental to Arrest—Cooper v. California
4501	CALCOP9	22	Plain Sight Rule
		23	Vehicle Inspection for Registration
		24	Unannounced Entry of a Residence
		25	Search by Private Individuals
4501	CALCOP10	26	Hearsay Rule Exceptions and Privileged Communications

CASE 1: SEARCH INCIDENTAL TO ARREST—Chimel v. California

Late in the afternoon, three police officers arrived at the Santa Ana, California, home of the defendant with a warrant authorizing his arrest for the burglary of a coin shop. The officers knocked on the door, identified themselves to the defendant's wife, and asked if they might come inside. She ushered them into the house where they waited 10 to 15 minutes until the defendant returned home from work. When the defendant entered the house, one of the officers handed him the arrest warrant and asked for permission to "look around." The defendant objected, but was advised that, "on the basis of the lawful arrest," the officers would nonetheless conduct a search of the entire house. No search warrant had been issued.

CASE 2: SEARCH INCIDENTAL TO ARREST—People v. Edgar

The defendant, Edgar, lived with his mother and stepfather and, after his arrest, his mother visited him in jail. A deputy sheriff overheard their conversation. Edgar told his mother that there were pictures at home that might be important to his case and asked her to hide them until he told her what to do with them. The deputy sheriff told the police officer in charge of the case about the conversation, and he and another officer went to Edgar's home. They told Edgar's mother they knew about the pictures and asked her for them. She told the officers she did not know what she should do and that she thought she should consult an attorney. The officers talked to her from 15 to 30 minutes and told her two, three, or four times that if she did not deliver the pictures to them, they would be forced to take her to the police station, book her for withholding evidence, obtain a search warrant, and come back and get the pictures. As a result of these statements, Edgar's mother went into another room, returned with the pictures, and gave them to the officers.

CASE 3: NEUTRAL INQUIRER—People v. Wright

Defendant went to the residence of his divorced wife and told her that he wanted $300. She said that she would give him the money and to call that evening. About 10:45 p.m., she telephoned defendant that she could not give him the $300 because she was paying bills. Defendant replied with a threat, vulgarly expressed, to take her life, then hung up. Five minutes later, defendant rang his ex-wife's doorbell. She looked out the window and saw him. Taking a gun from her sister, she picked up the phone, went into the bedroom, dialed the operator and asked for the police. Defendant forced the door before she could be connected. He stood with a gun pointed directly at her and fired six times. She fired six shots in defendant's general direction. Defendant then knocked out his ex-wife's sister by hitting her over the head with the gun. After that he beat his ex-wife with the gun crushing her skull and breaking a rib and her hand. While beating her, he told her, "I wish I had some more bullets."

Upon receipt of information over the police radio that there was a disturbance, Deputy Franzlick went to the residence. He saw the ex-wife's sister on the sidewalk; she had a bump on the head and blood over her face and appeared to be injured; she told him her sister was injured. Inside the apartment, the ex-wife was found covered with blood, appeared to be injured, and told the officer, "He beat me," pointing to the bedroom. The deputy looked into the bedroom from the front room and saw defendant lying across the bed on his stomach, face down, holding a cloth to his neck. The deputy asked the defendant "what happened", and the defendant said he had been shot by his wife. The deputy then went into

the bedroom and again asked defendant to tell him what happened. Defendant said he had come to try to get $300, rang the doorbell, and no one answered; he kicked the door in, drew a gun and then just started firing.

CASE 4: ADMISSIONS TO PARENTS BY SUSPECT IN CUSTODY—People v. Petker

A woman was murdered in the course of a robbery. Defendant, a 17-year-old boy, was arrested and taken to the police station about 2:00 p.m. on the day of the arrest. The police immediately notified his parents of his arrest and his whereabouts. The defendant's parents arrived at the police station about 4:00 p.m. They were required to wait until about 6:00 p.m., when they were permitted to see the defendant in his cell. The officers told the parents that defendant had confessed and of some of the substantiating evidence. The officers then accompanied the parents to the defendant's cell. The father said to him, "You didn't do it, did you? I know how much pressure these fellows can put on you." The defendant apparently ignored the father's question; at least he did not answer. The mother then said, "Why did you do it?"; to which defendant replied, "She kept screaming."

CASE 5: CONVERSATION BETWEEN AN OFFICER AND A DEFENDANT

On June 10, 1966, an apartment at 4729 West San Vicente was entered and burglarized. This fact was not known until after the arrest of the defendant. At about 1:00 p.m., on the same date, a police officer driving a police unit toward San Vicente saw defendant and a second man carrying a stereo from an apartment house at 4729 San Vicente. They were carrying and struggling with this stereo on the sidewalk. Piled on top of the stereo were various articles of men's clothing, a radio, a pair of boots, records, and some cologne. As the officer approached, they quickly set down the stereo and defendant tripped or stumbled and fell out into the street. The officer questioned both subjects as to where they were taking the stereo. He was told that it was being taken to St. Elmo Drive, and the second man said that it belonged to defendant. Defendant stated he did not know what kind of stereo it was. The second subject said it was a Magnavox. The officer looked at it and found it was a Sears Silvertone. Defendant said he lived there (4729 San Vicente) or used to live there. The officer further testified that neither man was under arrest, only "under investigation." He then called for assistance. Another police unit arrived. The officer went with defendant to the apartment house where there was a discussion with the manager. Shortly thereafter, the officer and defendant returned to the police unit where both subjects were placed under arrest.

CASE 6: SEARCH FOLOWING ARREST OF A FUGITIVE—People v. Baca

A State narcotics agent was informed by the fugitive detail of the Sheriff's Office that defendant failed to appear in a superior court trail and that a warrant had been issued for her arrest. The agent also had personal knowledge that the defendant failed to appear and a bench warrant was issued. He received additional information from a named woman that defendant moved to a friend's apartment at a given address. He and other officers went to the address in question, talked to the manager, knocked on the door of the apartment, heard noises but no answer,

and then entered the apartment using a key provided by the manager. While in a bedroom, the agent saw defendant in the bathroom. The defendant was asked to come out of the bathroom. She did so and entered the bedroom where she was placed under arrest. The agent then went into the bathroom and discovered 11 containers of heroin. The agent's testimony indicated that the narcotics were not and could not have been seen until the officer entered the bathroom.

CASE 7: STOP AND FRISK—Terry v. Ohio

Officer McFadden was patrolling in plain clothes in downtown Cleveland at about 2:30 p.m. His attention was attracted by two men, Chilton and Terry, standing on the corner of Huron Road and Euclid Avenue. McFadden had been a policeman for 39 years and a detective for 35 and had been assigned to patrol this vicinity for shoplifters and pickpockets for 30 years. His interest was aroused by the two men, and he took up a post of observation in the entrance of a store 300 to 400 feet away from them. He saw one of the men leave the other one and walk southwest on Huron Road, past some stores. The man would pause for a moment, look in a store window, and then walk on a short distance, turn around, and walk back toward the corner, pausing once again to look in the same store window. He would rejoin his companion at the corner and the two would confer briefly. Then the second man would repeat what the first had done. The two men repeated this ritual alternately between five and six times apiece. At one point, while the two were standing together, a third man approached them and talked with them briefly. This third man, Katz, then left the two others and walked west on Euclid Avenue. Chilton and Terry resumed their measured pacing, peering, and conferring. After this had gone on for 10 to 12 minutes, the two men walked off together, heading west on Euclid Avenue, following the path taken earlier by Katz.

By this time, McFadden suspected the two men of casing a job (stick-up) and he considered it his duty as a police officer to investigate further, and he feared they may have a gun. Officer McFadden followed Chilton and Terry and saw them stop in front of a store to talk with Katz. The officer approached the three men, identified himself as a police officer and asked for their names. At this point his knowledge was confined to what he had observed. He was not acquainted with any of the three men by name or by sight, and he had received no information about them from any other source.

CASE 8: PROBABLE CAUSE FOR SEARCH—Sibron v. New York

At a hearing on a motion to suppress evidence, Officer Martin testified that while he was patrolling his beat in uniform he observed Sibron continually from the hours of 4:00 p.m. to 12:00 midnight in the vicinity of 742 Broadway. He stated that during this period of time he saw Sibron in conversation with six or eight persons whom Officer Martin knew from past experience to be narcotic addicts. The officer testified that he did not overhear any of these conversations, and that he did not see anything pass between Sibron and any of the others. Late in the evening Sibron entered a restaurant. Martin saw Sibron speak with three more known addicts inside the restaurant. Once again, nothing was overheard and nothing was seen to pass between Sibron and the addicts. Sibron sat down and as he was eating, Martin approached him and told him to come outside. Once outside, the officer said to Sibron, "You know what I am after."

CASE 9: PROBABLE CAUSE FOR ARREST—Peters v. New York

Officer Lasky was at home in his apartment about 1:00 p.m. He had just finished taking a shower and was drying himself when he heard a noise at his door. His attempt to investigate was interrupted by a telephone call, but when he returned and looked through the peephole into the hall, Officer Lasky saw two men tiptoeing out of the alcove toward the stairway. He immediately called the police, put on some civilian clothes and armed himself with his service revolver. Returning to the peephole, he saw a tall man tiptoeing away from the alcove and followed by the shorter man, Peters, toward the stairway. Officer Lasky testified that he had lived in the 120-unit building for 12 years and that he did not recognize either of the men as tenants. Believing that he had happened upon the two men in the course of an attempted burglary, Officer Lasky opened his door, entered the hallway, and slammed the door loudly behind him. This was followed by a flight down the stairs on the part of the two men.

CASE 10: PROBABLE CAUSE AND CITIZEN INFORMANTS—People v. Yeoman

Using the name Ernest Ryan, defendant and another man, Henry Ryan, representing themselves as brothers rented a bachelor-type apartment (No. 227) from the manager Henry Smith, on June 25, 1966. On July 7, 1966, Smith heard a cat crying in defendant's apartment; no one was home so he opened the door with a pass key, found a white kitten and fed it. As he started out of the apartment he saw on a shelf in an open closet a shoe box containing material he believed to be marijuana. He had seen marijuana on numerous occasions during his 20 years in the Air Force. Since defendant moved in, Smith had noticed numerous persons, all men—as many as five in one day—go and come from the apartment. Smith took a pinch of the material. He notified police and within a day or two, Sergeant Mullen, Narcotics, called him. Smith told Mullen of his observations and Sergeant Mullen told him to keep the sample until he could come out and identify it.

On July 10, 1966, defendant and the other man moved into a one bedroom apartment (No. 221). Henry Ryan told Smith he had ordered a telephone but was going to New York and if his brother was not in he should let the telephone man in the apartment. On July 13, the man came to install the phone. Smith went to the door of Apartment 221 and knocked; receiving no answer, he walked in, saw no one, looked in the bedroom and saw defendant asleep. He called to him but defendant did not awaken. On a dresser in the bedroom Smith saw a cellophane wrapped package of material that appeared to be the same he had seen in defendant's other apartment. He believed it to be marijuana. Smith left the apartment and called Sergeant Mullen advising him of the situation. Forty-five minutes later, Mullen and his partner arrived. Smith told him what he had seen in defendant's apartment (No. 227) on July 7, and showed him the sample of material he had taken from the box. Mullen examined the debris and identified it as marijuana.

CASE 11: PROBABLE CAUSE AND CITIZEN INFORMANTS—People v. Waller

At about 12:30 p.m., two young hitchhikers, McGraw and Johanson, were offered a ride in a white Dodge truck. There were three men and a woman, including defendant, in the van. During the course of the ride from Monterey, the hitchhikers were offered "pot" by one of the members of the group. Johanson

observed the defendant take a puff from a pipe that the woman passed around. The odor emanating from the pipe that was passed around was "unusual" unlike any tobacco. The woman in the van had long stringy hair and was wearing an "orangish" sweatshirt, brown cord pants and sunglasses. The van proceeded on toward Asilomar after the two hitchhikers were let off at Pacific Grove. Some four or five minutes after being dropped off, the hitchhikers located a police officer and described to him what had happened in the van. The Johanson boy lived near the police station. The officer testified he knew him "fairly well" for about a year and a half as "generally as a person that had never been in trouble." The officer had never before received information from the boy upon which he had acted.

Shortly after the conversation with the hitchhikers, the officers saw the white van. As he pulled behind it, he was able to see four people, three males in front, and the woman in the rear. The woman's hair and blouse matched the description given by the boys. The officer stopped the vehicle and, as he was walking toward the driver's side, he noticed the woman rummaging around the right-hand corner, and the man in the front center seat putting something under the seat. The officer requested identification from the occupants, and asked the defendant, the driver, for the vehicle registration. The defendant presented an expired license, which was the only identification produced by anyone in the vehicle. No registration was produced for the vehicle.

CASE 12: BLOOD TESTS—Schmerber v. California

Under the California stature, a refusal by a suspect to submit to a test for blood alcohol constitutes grounds for license revocation upon application therefore by police. Since the principal reason that samples of blood, breath or urine are withdrawn is to provide evidence for a future prosecution, the question remains whether blood may be taken for that purpose and not specifically to provide grounds for license revocation. *Schmerber* v. *California* answers this question.

The defendant was charged with driving under the influence of intoxicating liquor. He had been arrested at a hospital while receiving treatment for injuries suffered in an accident involving the automobile that he had apparently been driving. Police directed a physician to withdraw blood from the defendant over the defendant's objection prompted by advice from his attorney. The chemical analysis revealed a percentage of alcohol, and the report thereof was offered in evidence at the trial.

CASE 13: SEARCH INCIDENTAL TO ARREST—People v. Barton

At 2:00 p.m. on June 10, 1970, two Costa Mesa officers in possession of a warrant of arrest for failure to appear for a traffic violation went to the address listed on the warrant. They knocked on the front door and a person fitting the description listed on the warrant opened the door. The officers then asked the person who opened the door if his name was Bruce Barton, the name listed on the warrant. The person answering the door stated that his name was Bruce Barton. The officers then informed Barton that he was under arrest on authority of the warrant.

Barton replied, "OK, I'll go with you. Let me get my coat off the chair here." He then stepped into the room, and both officers followed him to the chair where his coat was. As the officers walked past a coffee table they observed a partially burnt marijuana cigarette. Barton did not appear to be under the influence of marijuana.

CASE 14: RIGHT TO REMAIN SILENT—People v. Cooper

Officer Jones and Brown, Huntington Beach Police Department, while on routine patrol, were hailed down by a female at 1:00 a.m. on January 5, 1970.

Female: "Help me! Some man just beat me up in that bar over there."

Officer Jones: "What happened?"

Female: "He hit me with his fist until I went down, and then he kicked me."

Officer Brown: "Do you know who the man is?"

Female: "No, I've never seen him before."

Officer Jones then asked the woman for some identification. She showed an operator's license in the name of Mrs. Sheila B. Combs. Her age was given as 32.

At this time, the officers observed several reddened, bruised areas on the victim's face. Mrs. Combs pointed out the bar where she had been and described the man who had beaten her. The officers then went into the bar and located a man fitting the description given by the woman. The officers requested the man to step outside.

Man: "What for, I haven't done anything."

Officer Jones: "You are under arrest for assault with a deadly weapon."

The man then accompanied the officers outside to where the woman was standing.

Mrs. Combs: "That's him, I want him in jail."

An argument then started between the man and woman. The officers stopped the argument and separated the two people.

Officer Jones to Man: "Do you know this woman?"

Man: "Yeh, she's my girl friend, we've come to this bar a couple of times before."

Officer Brown then asked the suspect for some identification. He produced an operator's license in the name of Clayton B. Cooper, age 34.

CASE 15: PROBABLE CAUSE—People v. Beckman

At approximately 10:15 p.m. on February 4, 1970, Santa Ana officer George White was on routine patrol in a high frequency crime area. Officer White observes a vehicle run a red light. While following the vehicle, the officer makes an auto-statis check to see if the vehicle has any outstanding wants or warrants against it. The check indicates that the car does not have a want or warrant against it. White then pulls the vehicle over to cite the driver for running the red light. While the vehicle is pulling to the side of the street, the officer observes the driver motion as though he were putting something under the front seat. After stopping, the driver gets out of his car and goes to the rear of it while he waits for the officer. The driver is neatly dressed, wearing casual clothes. Officer White then looks under the front seat where he finds a pistol, a pair of gloves, and a small pry bar. At Officer White's request, the driver produces an operator's license in the name of Donald D. Beckman, age 23.

CASE 16: TEMPORARY DETENTION: RATIONAL SUSPICION—People v. Henze

At about 2:30 p.m., two officers at a distance of 220 feet saw the two male subjects, whom they did not know, seated on the grass in a public park. They looked to be about 18 years of age. The subjects appeared to the officers to be dividing objects which shone in the sunlight. Seen through binoculars, they seemed to be counting coins and passing them back and forth. Coins could not actually be seen, but when one subject got up, one police officer saw him put what appeared to be a roll of coins in his pocket. The subjects then walked to a parked car and drove off, driving in a normal fashion and observing the traffic laws. The officers followed in a patrol car, then drove alongside the subjects, identified themselves, and ordered the subjects to stop their vehicle.

CASE 17: MIRANDA REVISITED—People v. Ireland

Defendant killed his wife. After he was arrested and handcuffed at his home he was escorted by two officers to a waiting police car. On the way to the car he was advised of his rights under *Miranda v. Arizona*, and upon being asked whether he had anything to say at that time, he replied: "Call my parents for my attorney." Apparently neither of the officers responded to defendant's request, took any action as a result of it, or attempted to communicate it to superior officers. Defendant was placed in the car and transported to the police station. At two points during the trip he asked some questions about his wife and his children, and the officer driving said to him: "Sir, I'm not allowed to talk to you at all concerning this case, and they will talk to you later at the station." The officer's response was in compliance with orders given to him earlier by a sergeant.

When defendant arrived at the police station he was placed in an interrogation room and placed in a special chair provided for the interrogation of suspects. About five minutes later, a police lieutenant (the watch commander) entered and asked defendant if he had been advised of his rights. Defendant replied in the affirmative, but the lieutenant nevertheless proceeded to give such advice "to see that he had been fully admonished." Defendant indicated that he understood and asked if the lieutenant wanted to talk to him. The lieutenant said that he did not, but that "there was an officer coming down that would talk to him."

About 35 minutes after the defendant's arrival at the interrogation room, the interrogating officer arrived. He advised defendant of his *Miranda* rights for the third time. Defendant again indicated that he understood the admonition. The officer, who had *not* been informed of the defendant's request for an attorney, asked defendant "if he was willing to talk with me, and he said he wanted to talk with someone and was I willing to listen to what he had to say." The officer replied that he would be willing to listen. A confession resulted.

CASE 18: THE FOURTH AMENDMENT AND SEARCH OF TRASH CANS—People v. Edwards

Mr. Hansen, a resident of Santa Ana, lived next door to defendants, Robert and Jennifer Edwards. He saw on defendants' back porch a large plastic bag containing packages, one of which was torn and contained a dark green vegetable substance that appeared similar to alfalfa but did not smell like alfalfa and had a "small funny type seed."

About a week later, shortly after 9:00 p.m., he reported what he had seen to Detective Hern. After discussing this information with other officers, Hern accompanied by Detective Oden, walked down the railroad tracks behind defendants' residence and entered into "the open back yard area" of that residence. There the officers observed three trash cans two or three feet from the back porch door. The officers did not have a search warrant. Inside one of the trash cans they found, among other things, a bag which contained marijuana—"possibly enough to roll a couple of cigarettes or more" and which had "other stuff on top of it."

Hern took the marijuana back to his office to examine it more carefully. He and other officers then returned to the area of defendants' house where they conducted a stake-out from 12:30 a.m. until 4:00 a.m.

Thereafter, the officers arrested Robert Edwards in the dining room. Two officers went upstairs to bring down Mrs. Edwards, who came down moments later accompanied by the officers. The Edwards were told they were under arrest for possession of marijuana. The officers thereafter conducted a search of the house and found marijuana inside a duffle bag in an upstairs closet and L.S.D. and marijuana inside a suitcase. They also discovered marijuana in a sifter in the dining room, L.S.D. in the living room, and marijuana in a can on a bathroom shelf. Robert Edwards

led the officers to a hole under the house, where additional marijuana was found, and particles (apparently of marijuana) were found in Edwards' vehicle. The officers did not have an arrest or a search warrant. The arrest took place on January 13, 1967, that is, before the decision of the United States Supreme Court in Chimel v. California on June 23, 1969.

CASE 19: PAROLE OFFICERS AND SEARCHES—People v. Quilon

Federal Narcotics Agents informed the defendant's state parole officer that the defendant, on felony parole, was selling narcotics. The parole officer asked the agents to accompany him to the defendant's apartment. The agents and the parole officer went to the door and rang the bell. Defendant looked out his window and asked who was there. The parole officer stepped off the porch and announced himself. When the defendant buzzed the door open, the parole officer and the agents entered. The parole officer told the defendant that he and the two agents wanted to search for narcotics. The defendant initially agreed, then later demanded a search warrant. The parole officer stated no search warrant was necessary. The search of the apartment, conducted by the parole officer and the agents, revealed narcotics.

At trial the defendant objected to the introduction of the evidence, contending that the parole officer was only a "front" for narcotic agents, particularly since the information originated with them.

CASE 20: SEARCH AND SEIZURE: CONSENT BY LANDOWNER—People v. Egan

As a result of police investigation, officers suspected defendant was implicated in a homicide. The victim had died from an overdose of narcotics. Investigators went to a condominium apartment owned and occupied by the defendant's stepfather. The stepfather informed the officers the defendant was away from home but that the officers were welcome to search. Upon entering the room which the defendant occasionally occupied, the officers observed a blue overnight kit in the closet. The stepfather stated that the bag did not belong to him and that he knew nothing about it. He stated the officers could search the bag. Inside the bag they found a revolver, which they seized. The next day they arrested the defendant.

Defendant was convicted of Penal Code Section 12021 but appealed, contending the search was unlawful.

Note: Penal Code Section 12021 prohibits possession of a concealable firearm by one previously convicted of a felony.

CASE 21: SEARCH INCIDENTAL TO ARREST—Cooper v. California

The defendant had been lawfully arrested in his car which was thereafter towed away and impounded. One week after the arrest, the police searched defendant's car and recovered incriminating evidence which was subsequently introduced at trial. Police had no warrant for the search of the car.

Defendant was convicted of selling heroin to a police informer. The defendant appealed his conviction, contending the search of the car was unreasonable in that it was not contemporaneous in time or place with the arrest.

CASE 22: PLAIN SIGHT RULE—People v. Marshall

Four police officers were in an unmarked police car at a vantage point across the street from defendant's apartment. They sent an informer to purchase marijuana from one, Matthews, who shared the apartment with defendant Marshall. At 8:15 p.m., the informant returned with marijuana and told the officers that defendant gave it to him free of charge. He also told them that the transaction took place in the bedroom and that the marijuana he was given was taken from a brown paper bag that contained more cellophane-type bags of marijuana.

The officers had neither an arrest nor a search warrant, but decided to arrest defendant on the basis of the informant's report. They ruled out forcible entry as dangerous to person and property. An officer, equipped to pick the lock of the apartment, arrived at 8:30 p.m. The officers knocked on the door several times, announced their identity, and demanded entry. There was no response. The lock was then picked and at 8:40 the officers entered the apartment.

CASE 23: VEHICLE INSPECTION FOR REGISTRATION—People v. Monreal

A police officer was on duty in a Los Angeles business area at about 10:30 p.m. It was raining. There had been numerous burglaries in the area and the business establishments were closed. The officer observed the defendant, who was smoking a cigarette, step from his vehicle which was parked, walk to the rear of the vehicle, throw the cigarette onto the sidewalk, and open the trunk. He then opened a tool box, removed a pair of gloves and a screwdriver. The officer thought defendant might be a burglary suspect. He approached defendant and asked him for his driver's license and questioned him concerning the ownership of the vehicle. Defendant produced his driver's license, and said the vehicle belonged to him, but was registered to someone else in San Diego. The officer went to the driver's side of the car, shined his flashlight into the vehicle from the outside, saw no registration, and then opened the car door and put his head inside the car so he might be able to see if there was a registration on the sun visor or elsewhere in the vehicle. At this time, he smelled a strong sweet odor which resembled marijuana. Upon being asked, defendant denied that he had been smoking marijuana. The officer checked the vehicle for possible marijuana but found none. He then went to the curb where he had earlier observed the defendant throw the cigarette. He saw a partially smoked handmade cigarette lying on the otherwise clean sidewalk. He broke it open and noted that it contained a substance resembling marijuana. The defendant was placed under arrest. During booking, a plastic bag containing marijuana fell from defendant's shorts.

CASE 24: UNANNOUNCED ENTRY OF A RESIDENCE—People v. Berutko

An informant advised the officer that Berutko was engaged in the sale of heroin at a certain address. The officer secured Berutko's description and that of his automobile, a red and white Buick. He and three other officers went to the apartment house address provided by the informant. They had neither an arrest nor a search warrant. The manager identified the suspect from a photograph presented by the officer. The manager stated that Berutko had "a large amount of traffic" to and from his apartment and that he "appeared suspicious."

The officers placed defendant's apartment under surveillance. They saw several persons go to the door and then leave without entering; it appeared that there was no one at home. Presently, defendant drove up in a red and white Buick and entered his apartment. The officers continued their surveillance for 10 to 15 minutes, and several times during this period Officer Wilson saw defendant come to a window and look briefly outside.

Officer Wilson then went to the front portion of the apartment. The window there was covered by a light curtain or drape, the bottom of which rested upon a table in such a way that an opening was formed through which a part of the interior of the apartment was visible. Officer Wilson was able to look into the interior from a vantage point which seemed to be a common area available to other tenants of the apartment building as well as to other persons admitted by such tenants or the management and having legitimate business upon the premises.

Looking through the aperture formed by the arrangement of the drape, Officer Wilson saw a coffee table upon which there was a plastic bag which contained some "lumpy" material and was tied off at one end. On the basis of his experience in narcotics investigation, the officer formed the opinion that the bag contained heroin.

The officers thereupon obtained a key from the manager of the apartment building and entered defendant's apartment without knocking or giving any announcement as to their identity or purpose. A search disclosed narcotics and narcotic paraphernalia. Officer Wilson testified at the trial that the unannounced entry was made "to avoid having the contraband being disposed of."

CASE 25: SEARCH BY PRIVATE INDIVIDUALS—Stapleton v. Superior Court

Mr. Bradford, a special agent for a credit card corporation, together with agents from two other credit card corporations, went to a a police station to aid in the arrest of Stapleton, for whom the police had an outstanding arrest for credit card fraud. The agents and the police agreed to meet near Stapleton's home. After arriving there around midnight, the officers instructed Bradford and another agent to cover the rear of the house to prevent an escape while the two officers and the third agent went to the front door with the warrant. Bradford entered Stapleton's house after one of the officers requested him to do so and let him in through the back door. Stapleton was found in a bedroom and placed under arrest by the police. Bradford then started searching the house; the officers were also engaged in searching the premises and Bradford assisted them. He shortly asked whether anyone had searched Stapleton's car which, he remembered, he had seen parked some distance down the street. Receiving a negative response, Bradford then asked where the keys were and someone indicated the keys lying on a table. Another agent handed the keys to Bradford, who then went outside to the car. Bradford's purpose in going to the car was: "Well, it's one of those things that we have done in making arrests, searching incidental to the arrest." He also intended to look for credit cards or merchandise which may have been purchased with cards. Neither the agents nor the police had a search warrant and Stapleton had not given permission for the search.

Bradford searched inside the car, which was not locked, and then unlocked the trunk. In the trunk he discovered 60 canisters containing a tear gas-like substance. Bradford closed the trunk, reported his discovery to the officers. An officer returned to the car with Bradford, opened the trunk, and retrieved the canisters.

CASE 26: HEARSAY RULE EXCEPTIONS AND PRIVILEGED COMMUNICATIONS—People v. Jones

At approximately 9:00 a.m. an officer receives a radio call of a shooting. Upon arrival at the address he is admitted into the house by a Catholic priest and directed to the kitchen. There he finds a young woman on the floor with a head wound. She is apparently dead. There is an automatic pistol next to her body. There are three men present: (1) Percy Allen, whom the officer recognizes as a known homosexual, (2) George Jones, who identifies himself as a friend of the victim, and (3) Father O'Brian, the priest.

As the officer is securing the scene, he is advised by Jones that a fourth man, Le Roy Smith, had been present when the victim was shot, but had left in his car right after calling Father O'Brian. Father O'Brian said that he came to the house immediately after Le Roy had called him and upon finding the victim in the kitchen, called the police. He identified the deceased as Selma Brown, one of his parishioners. The officer immediately called headquarters to advise them of the facts and put out an APB on Le Roy Smith. He is advised by the desk that Smith has just been killed in an auto accident. He does not advise the others of Smith's death.

The officer then asked Percy if he saw what happened. Percy said that he didn't see anything, but while he was sitting on the couch with his boyfriend, Le Roy, he heard a gun shot. He also said that Le Roy who could see into the kitchen from where he was sitting, shouted, "My God, George just shot Selma." Le Roy left the house soon after.

Appendix II

SAMPLE OUTPUT

CASE 12

Question 1: If an attorney has advised his client not to submit to a blood test in a case such as this, may the police ignore this advice and legally have a blood sample taken anyway?

1. Yes
2. No

□:

Yes
Correct Hill

In the Schmerber case the United States Supreme Court ruled that attorneys may advise their clients to refuse permission to consent to a blood test, but police are free to ignore this advice and may proceed to request the test.

Question 2: Which one of the following 5 statements is true?

1. Removal of a blood sample is a search and seizure.
2. As long as a blood sample is taken incidental to a lawful arrest it is reasonable.
3. No search warrant is needed in a blood alcohol case due to the urgency of conducting the test immediately.
4. Statements 1 through 3 are all true.
5. Statements 1 through 3 are all false.

□:

4
Very good Hill

In the Schmerber case the U.S. Supreme Court said that removal of a blood sample is a search and seizure. In order to have a proper search without a search warrant, it must be conducted incidental to an arrest; or, with the defendant's consent; or, in an emergency. But removal of a blood sample is different than a search for weapons, or evidence or fruits of a crime. Because removal of a blood sample requires an invasion of the body surface, special concern must be exercised. Therefore:

The search must be an appropriate incident of the arrest. Evidence that the defendant had bloodshot eyes, an odor of alcoholic beverage about him, plus the real possibility the evidence would disappear in the absence of prompt efforts to recover it, justifies the search without a warrant as an appropriate incident of the arrest.

Question 3: In an emergency may police take a blood sample without an arrest?

1. Yes
2. No

□:

Yes
Correct Hill

California statute requires that a blood sample must be withdrawn incidental to a lawful arrest. However, California case law allows police to withdraw a blood sample even without an arrest if there is an emergency. *PEOPLE* v. *HUBER*, 232 C.A. 2d 663; *PEOPLE* v. *GILBERT*, 63 C. 2d 690.

Question 4: Does removal of a blood sample without permission in a drunk driving case violate ones privilege against self incrimination?

1. Yes
2. No

□:

No
Right Hill

Again in the Schmerber case, the U.S. Supreme Court said removal of a blood sample from a person suspected of driving under the influence of intoxicating liquor does not violate the privilege against self-incrimination. The privilege against self-incrimination 'protects an accused only from being compelled to testify against himself, or otherwise provide the state with evidence of a testimonial or communicative nature, and that the withdrawal of blood and use of the analysis in question in this case did not involve compulsion to these ends.'

Question 5: Must administration of field sobriety tests be preceded by any statement of constitutional rights?

1. Yes
2. No

□:

Yes
Sorry Hill

Court decisions do not require a Miranda type warning prior to giving a field sobriety test.

Question 6: Must any kind of warning be given prior to taking a blood or urine test in drunk driving cases?

1. Yes
2. No

□:

1
Right Hill . . .

Administration of blood tests must be preceded by a warning that failure to submit to a test may result in the suspension of driving privileges for six months.

Question 7: Does taking of blood samples violate the fifth amendment of the U.S. Constitution?

1. Yes
2. No

□:

Yes
No it doesn't Hill

Note that Schmerber permits even wider use of blood tests than the California statute. Vehicle Code Section 13353 permits withdrawal of blood samples for offenses committed while driving a motor vehicle. Schmerber, although a drunk driving case, approves the practice of removing a blood sample, in part, because it does not violate the privilege against self-incrimination. Blood samples may be taken for any purpose as far as the Fifth Amendment is concerned.

Question 8: *Do the various points brought out so far in the Schmerber case indicate that blood samples can be taken for mere general evidentiary purposes at the officer's discretion?*

1. Yes
2. No

□:

No
Correct Hill

These cases do not mean that blood may be withdrawn for no reason whatever. Withdrawal of a specimen from the suspect (blood, breath or urine) is a search and may be conducted incidental to a lawful arrest if it is *appropriate* to do so. If an arrest is made with probable cause, or if an offense has been committed in the officer's presence, and the relevance of securing a specimen of body alcohol can be shown, a test may be administered.

There are some instances in which there may be less than probable cause to arrest for a felony, or no misdemeanor committed in the officer's presence.

Question 9: *Police discover a single car crashed against a tree; the driver pinned behind the wheel; the driver appears to be under the influence: Even though the misdemeanor was not committed in the officer's presence, can blood be taken?*

1. Yes
2. No

□:

Yes
Correct Hill

Question 10: *Police discover a two-car accident and no evidence as to the cause. The driver of one car has an odor of alcohol about him: Even though this might not be probable cause to arrest, are such circumstances sufficiently suspicious to warrant the removal of a blood sample from the driver?*

1. Yes
2. No

□:

No
Sorry Hill . . . .

Circumstances are such as to warrant a blood sample in this type of case.

Question 11: Could a blood sample be taken from a suspect without a search warrant in cases unrelated to drunk driving such as rape?

1. Yes
2. No

□:

No
You may be right Hill:

Actually, whether blood could be withdrawn from a suspect under arrest for a purpose unconnected with determination of blood alcohol, as, for example, to match blood types in a homicide case, is an open question. Schmerber states that the mere likelihood of relevance is insufficient justification for invading the body, it not being an appropriate incident of the arrest. As evidence of blood type would not disappear, the emergency exception could not be argued. Therefore, application for a search warrant would probably be necessary.
End of Case 12 . . . . .

Hill. Your score:

Number of questions asked in this case: 11
Number of questions answered right: 8

Percent correct: 27.72 72 72 73
Well done Hill

CASE 22

The time is: 2:09
Question 1: Based upon the information they had from the informant and the marijuana for evidence, did the officers make a legal entry?

1. Yes
2. No

□:

Yes

You are correct on this point. The court ruled in this case that they had probable cause to make a felony arrest (i.e., for furnishing marijuana); they had reasonable grounds to believe that defendant was inside the apartment; and they entered to make an arrest.

Question 2: The officers had the lock picked to gain entry into the premises. Is this a legal procedure?

1. Yes
2. No

□:

Yes
Right Morgan, picking a lock is a form of 'breaking in', although less destructive.

P.C. Section 844 provides: 'to make an arrest, a peace officer, may break open the door or window of the house in which the person to be arrested is, or in which they have reasonable grounds for believing him to be, after having demanded admittance and explained the purpose for which admittance is desired.'

Once the officers gained entry they found an open window with its screen removed indicating the occupants had fled. One officer detected a sweet odor similar to that

of the marijuana defendant had given the informant. In other narcotic investigations the officer had smelled similar odors from marijuana that had been soaked in wine. The odor came from an open cardboard box on the floor inside an open bedroom closet. In the box the officers found a closed brown paper bag which, when opened, was found to contain 21 plastic bags of wine-soaked, sweet-smelling marijuana. The officers remained in the apartment to await the occupants. Matthews and Marshall were arrested at 11:00 p.m. when they returned to the apartment.

Question 3: Based on what you have read, do you believe the officers search for—and seizure of—the marijuana was valid?

1. Yes
2. No

□:

Yes
Wrong Morgan

The next question will determine if you know why the search and seizure were not valid.

Question 4: Which of the following explains why the search and seizure were invalid?

1. The evidence was not in plain sight
2. The search was not contemporaneous with the arrest
3. A search warrant would have been required in any event
4. All of the above are correct
5. 1 and 2 are correct

□:

2
You are partially correct, number 5 is the right answer.

The court ruled that:

1. A valid search must be contemporaneous with the arrest. It would then have been valid since there was probable cause to arrest.
2. While the officers were searching for the suspect only that contraband 'in plain sight' could be seized. The marijuana was in a closed paper bag and not in plain sight.
3. Once they found the house unoccupied, a search warrant should have been obtained and served on defendants when they returned.

End Case 22
Your score—Morgan
Number correct = 2
Number missed = 2
Duration: 0:05:57

Appendix III

FINAL EXAMINATION

INSTRUCTIONS

Read the descriptions that follow and indicate your answers to the question as directed.

ENACTMENT 1

Officers in possession of a warrant of arrest for failure to appear when summoned for a traffic violation went to the address listed on the warrant. Upon arriving they observed two male persons enter the house. Officers knocked on the front door and a person fitting the description listed on the warrant opened the door. The officers then asked the person who opened the door if his name was Raymond Heslop, the name listed on the warrant. The person answering the door stated that his name was Raymond Heslop. The officers informed Heslop that he was under arrest on authority of the warrant.

HESLOP: O.K. I'll go with you. Let me get my coat off the chair here.

Heslop then stepped into the room, and the officers followed him to the chair where his coat was. As the officers walked past a coffee table, they observed a partially burnt marijuana cigarette. Heslop did not appear to be under the influence.

Question 1–1: Do the officers have probable cause to arrest Heslop for possession of marijuana?

☐ Yes ☐ No

Explain your answer below.

Question 1–2: Is the marijuana cigarette admissible evidence?

☐ Yes ☐ No

Explain your answer below.

The officers then asked Heslop if anyone lived in the house with him. Heslop stated that no one did. The officers then walked through the house, looking in closets and under beds to see if anyone else was in the house, and possibly hiding. While in the bedroom, officers observed a large plastic bag filled with green leafy substance resembling marijuana on the floor of the closet. The officers then conducted an extensive search of the bedroom and the remainder of the house. In the bedroom officers found, hidden in a drawer, a clear plastic container which contained several red capsules resembling seconal. In a shoe box on the closet shelf the officers found a plastic bag containing several white double-scored tablets resembling benzedrine. In a cabinet in the kitchen the officers found a cup containing an off-white powder substance resembling heroin. The officers seized all of the discovered materials.

Question 1–3: Can the officers legally check the entire house to ascertain if anyone else is there?

☐ Yes ☐ No

The officers then advised Heslop that he was under arrest for possession of marijuana.

Question 1–4: Can the officers legally conduct an extensive search of Heslop's person, or is the search restricted to a cursory search for weapons?

☐ Yes ☐ No

The officers then searched Heslop and found another marijuana cigarette.

Question 1–5: Is this cigarette admissible as evidence?

☐ Yes ☐ No

Question 1–6: Can the officers legally conduct an extensive search of the house? Why?

☐ Yes ☐ No

Explain your answer below.

Question 1–7: Can the officers legally look under the beds and in the closets to ascertain if someone is hiding there?

☐ Yes ☐ No

Explain your answer below.

Question 1–8: Can the officers legally look in the drawers, shoe box, and kitchen cabinet?

☐ Yes ☐ No

Explain your answer below.

Question 1–9: Which of the above contraband would be admissible as evidence? Why?

As you should have noticed, the officers did not ask Heslop if they could search the house. Assume that the officers had asked Heslop if they could search the house, and that Heslop agreed.

Question 1–10: Which of the above evidence would be admissible as evidence? Why?

Assume that Heslop had a roommate and that the roommate was present when Heslop gave the officers permission to search the house, and that the roommate told the officers that they could not search the house.

Question 1–11: Can the officers legally search the house?

☐ Yes ☐ No

Explain your answer below.

ENACTMENT 2

Officers on routine patrol were hailed by a female.

Female: Help me! Some man just beat me up in that bar over there.

Officer: What happened?

Female: He hit me with his fist until I went down, and then he kicked me.

Officer: Do you know who the man is?

Female: No, I've never seen him before.

At this time the officers observed several reddened, bruised areas on the victim's face. The victim pointed out the bar where she had been and described the man who had beaten her. The officers then went into the bar, and located a man fitting the description given by the woman. The officers requested the man to step outside.

Man: What for, I haven't done anything?

Officer: You are under arrest for assault with a deadly weapon.

The man then accompanied the officers outside to where the woman was standing.

Female: That's him, I want him in jail.

An argument then started between the man and woman. The officers stopped the argument and separated the two people.

Officer to man: Do you know this woman?

Man: Yeh, she's my girlfriend, we've come to this bar a couple of times before.

Question 2–1: At this point, if the officers intend to question the man, should he be admonished of his constitutional rights?

☐ Yes ☐ No

Explain your answer below.

Question 2–2: Do the officers have to get a statement from the suspect indicating that he understands the admonishment once it is given?

☐ Yes ☐ No

Explain your answer below.

Question 2–3: Do the officers have to get a statement from the man indicating an understanding of rights?

☐ Yes ☐ No

Explain your answer below.

The officers then admonished the man and got a statement that he understood the admonishment. They then asked the man if he wanted to tell them what had happened. The man stated that he would tell them.

Question 2–4: Can all the statements made by the man be admissible as evidence?

☐ Yes ☐ No

NOTE: Assume for the remainder of this enactment that the man had stated that he did not want to talk to the officers about the incident, but the officers questioned him anyway, and obtained several incriminating statements.

Question 2–5: Are these statements admissible as evidence?

☐ Yes ☐ No

Explain your answer below.

Prior to being booked, the man was interviewed by detectives, who again admonished him of his constitutional rights and obtained an acknowledgment of understanding. The man then told the detectives what had happened in the bar.

Question 2–6: Are the statements given to the detective admissible as evidence?

☐ Yes ☐ No

Explain your answer below.

Question 2–7: If the detectives had not questioned the man, and if, during the booking process, the man had called the officers over to him, and told them that he wanted to tell them what had happened at the bar, would the statements then made by him be admissible as evidence?

☐ Yes ☐ No

Explain your answer below.

ENACTMENT 3

While on night patrol in a high frequency crime area, an officer and his partner observed a vehicle run a red light. While following the vehicle, the officers make an AUTO-STATIS check to see if the vehicle has any outstanding wants or warrants against it. The check indicates that the car does not have a want or warrant against it. The officers then pull the vehicle over to cite the driver for running the red light. While the vehicle is pulling to the side of the street, the officers observe the driver motion as though he were putting something under the front seat.

Question 3–1: Do the officers have probable cause to search any particular area of the vehicle?

☐ Yes ☐ No

Question 3–2: If the officers have probable cause to search the vehicle, what are the legal limitations governing the search?

The driver gets out of his car and goes to the rear of it where he stands with one of the officers. The driver is neatly dressed, wearing casual clothes. The other officer looks under the front seat where he finds a loaded pistol, a pair of gloves, and a small pry bar.

Question 3–3: Do the officers have probable cause to arrest the driver of the vehicle for illegal possession of the pistol?

☐ Yes ☐ No

Explain your answer below.

Question 3–4: Do the officers have probable cause to arrest the driver for burglary?

☐ Yes ☐ No

Question 3–5: Do the officers have probable cause to detain the driver?

☐ Yes ☐ No

Explain your answer below.

Question 3–6: If the driver had not bent over as if placing something under the front seat, would the officers have probable cause to look under the front seat?

☐ Yes ☐ No

The officer then takes the pistol to the rear of the vehicle where the driver is standing.

Officer: Is this your gun?
Driver: Yes.
Officer: Do you have a permit to carry it?
Driver: Yes, but I don't have it with me.

The officer then checks to see if there is a want on the gun. The check shows there is no want on the gun.

Question 3–7: Do the officers have probable cause to arrest the driver for illegal possession of the pistol?

☐ Yes ☐ No

The driver is then placed under arrest, handcuffed, placed in the rear seat of the police vehicle. The officer then searches the interior of the driver's vehicle.

Question 3–8: Do the officers have probable cause to search the interior of the vehicle?

☐ Yes ☐ No

Explain your answer below.

The officer then asks the driver if there is anything in the trunk of the vehicle.

Driver: No, there's nothing in there, go ahead and look.

The officer then asks the driver for the keys to the trunk, and the driver gives them to him. The officer opens the trunk of the vehicle and observes a box of transistor radios. A check of several serial numbers from several of the radios resuts in a report to the officer that the radios are stolen.

Question 3–9: Did the officers have probable cause to search the trunk of the vehicle?

☐ Yes ☐ No

Explain your answer below.

The driver was then booked for 459 P.C. (Burglary).

Question 3–10: If the officer has searched under the front seat without probable cause, could the transistor radios be used as evidence against the driver?

☐ Yes ☐ No

Explain your answer below.

ENACTMENT 4

An officer responding to a radio call arrives at a residence where he finds a young woman with a head wound. She is apparently dead. There is an automatic pistol next to her body. There are three men at the scene:

Wilbur—a very emotional homosexual who is frequently interrupting the officer, and generally hampers the investigation.

Mike—a friend of the dead woman.

Father Nick—a priest.

Officer: (to Wilbur) Did you see what happened?

Wilber: I saw nothing at all, but I heard oh so much. While I was on the love seat with my boyfriend, Willie, I heard a gun shot. Willie could see them and shouted, "My God, Mike shot Diane!"

At this time, the officer received notification that Willie, Wilbur's boyfriend, has just been killed in an automobile accident.

Question 4–1: Is Wilbur's statement relevant?

☐ Yes ☐ No

Question 4–2: Would Wilbur's statement be hearsay if offered in court?

☐ Yes ☐ No

Question 4–3: Is Wilbur's statement admissible as evidence?

☐ Yes ☐ No

Explain your answer below.

Question 4–4: Is it appropriate to give Wilbur Miranda at this time?

☐ Yes ☐ No

Explain your answer.

At this time, Mike the dead woman's friend, was acting very nervous. The officer then overheard Mike telling Wilbur to be quiet and to say nothing. The officer questioned Mike. Mike's statements were conflicting with the information the officer had obtained from Wilbur. In the middle of this interview, Mike refused to say anything else until his attorney was present.

Question 4–5: Are Mike's actions relevant?

☐ Yes ☐ No

Explain your answer.

Question 4–6: Would it be appropriate to give Mike Miranda?

☐ Yes ☐ No

At this time, Father Nick has just finished giving Diane the last rites. The officer detains Father Nick to question him.

Father Nick: Diane asked me for advice two days ago. She said she was pregnant, and that she felt the only way out was to kill herself.

Question 4–7: Is Father Nick's statement relevant evidence?

☐ Yes ☐ No

Question 4–8: Should Father Nick be given Miranda?

☐ Yes ☐ No

Question 4–9: Could Father Nick's statement be considered a privileged communication if offered in court?

☐ Yes ☐ No

Question 4–10: Can Father Nick legally refuse to testify in court on the basis of a privileged communication?

☐ Yes ☐ No

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